

On February 11, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of one hundred 1-pound cans of ether, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the American Solvents & Chemical Corporation, Albany, N. Y., alleging that the article had been shipped from Albany, N. Y., on or about October 27, 1930, and had been transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Ether U. S. P."

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the tests laid down in the said pharmacopoeia, and its own standard was not stated upon the label.

Misbranding was alleged for the reason that the statement on the label, "Ether U. S. P.," was false and misleading.

On February 28, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the Federal Coordinating Service.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18047. Misbranding of white pine and tar compound. U. S. v. 72 Bottles of White Pine and Tar Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25886. I. S. No. 5746. S. No. 4132.)

Examination of a drug product, known as white pine and tar compound, from the shipment herein described having shown that the carton and bottle labels bore statements representing that the article possessed curative and therapeutic properties which it did not, the Secretary of Agriculture reported the matter to the United States attorney for the District of Porto Rico.

On February 13, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 72 bottles of white pine and tar compound, alleging that the article had been shipped by Frederick Stearns & Co., Detroit, Mich., on or about January 3, 1931, to Aguadilla, P. R., and that it was being sold and offered for sale in Porto Rico by Jose Ferrari, Aguadilla, P. R., and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of ammonium chloride, antimony and potassium tartrate, pine tar, extracts of plant drugs, chloroform, sugar, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the labels of the product, regarding its curative and therapeutic effects, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "Coughs * * * Hoarseness, Bronchitis and certain minor Pulmonary Affections;" (carton, translation from Spanish portion of label) "For the alleviation of Cough, Catarrh, Bronchitis, Hoarseness, Sore Throat and other irritations of the throat and respiratory tract;" (bottle label, practically all in Spanish) "For Cough, Catarrh, Bronchitis, Hoarseness, Sore Throat and other irritations of the Throat and Respiratory Tract."

On March 7, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18048. Misbranding of Neutrone "99," U. S. v. 10 Bottles, Large Size, et al., of Neutrone "99." Default decree of condemnation and destruction. (F. & D. No. 25968. I. S. Nos. 28143, 28144. S. No. 4219.)

Examination of a drug product, known as Neutrone "99," from the shipments herein described having shown that it contained drugs which might impair the stomach; that it contained less alcohol than declared on the label; and that the package label, wrapper, and inclosed circular bore statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Pennsylvania.

On February 28, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 10 large-sized bottles and 22 small-sized bottles of Neutrone "99" at Pittsburgh, Pa., alleging that the article had been shipped by the